

DECISION NOTICE
STIPEK FISHING ACCESS SITE: PROPOSED 777 PROPERTY ADDITION
ACQUISITION

Prepared by Region 7, Montana Fish, Wildlife & Parks

November 2009

PROPOSAL

Montana Fish, Wildlife & Parks (FWP) proposes to purchase 76 acres of land plus the remaining one-half interest in the access road, as an addition to the recently acquired Stipek Fishing Access Site (FAS). The property is located just over seven miles north of Glendive near Highway 16 and has just over a quarter-mile of shoreline along the Yellowstone River. The property, currently owned by 777 Properties, LLC of Glendive, is being offered for sale for the price of \$331,000. The addition of this parcel will result in a combined acreage of about 110 acres for the Stipek FAS.

Addition of the 777 Property to the Stipek Fishing Access Site will have substantial recreational and management benefits, as follows:

- The expanded site will provide FWP with more than one-half mile of Yellowstone River shoreline, greatly increasing options for boat launch placement and providing increased capability to adapt to both seasonal changes in river flows and periodic changes in channel configuration.
- More than doubling the length of public shoreline will provide more bank fishing opportunities.
- The acreage of protected riparian forest habitat will more than double, conserving important cottonwood-ash forest for a range of native wildlife species.
- Acquisition of the property and the remaining one-half interest in the deeded access road will give FWP full ownership of the road and of the lands that the road serves, thus eliminating the potential for management or access disputes.
- The larger site will provide an increased buffer to neighboring private land, allowing FWP to locate facilities centrally within its ownership block, up to a quarter mile from other private land and buffered by forest habitat.
- The additional acreage can facilitate floating access to FWP's Three Mile Wildlife Management Area, which lies just across the river from the upstream (south) end of the proposed acquisition.

- With a combined acreage of about 110 acres, the site will provide improved hunting opportunity for upland birds, waterfowl and white-tailed deer. (FWP will consider the need for weapons restrictions for big game hunting). Opportunities for enhancing upland bird habitat through food and/or dense nesting cover plots will also be expanded.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

The proposed land acquisition was the subject of the “Stipek Fishing Access Site: Proposed 777 Property Addition Acquisition Draft Environmental Assessment,” which described the project and analyzed its potential effects on the human and natural environment. The environmental assessment was conducted pursuant to the Montana Environmental Policy Act (MEPA). Public comments were accepted for 30 days through November 2, 2009. The environmental assessment found that no significant adverse impacts would result from the land acquisition.

SUMMMARY OF PUBLIC COMMENTS

FWP received nine written and several verbal comments to the environmental assessment. All comments, save one, supported FWP acquiring the property. The other comment was viewed as being neutral towards the acquisition, suggesting that FWP pursue acquisition of an FAS upstream of Glendive which FWP will do should a willing seller be identified.

Prior to the formal public comment period, FWP representatives also discussed the proposal with the Dawson County Commissioners in late-September 2009. The Commissioners did not voice any concerns with the proposed action.

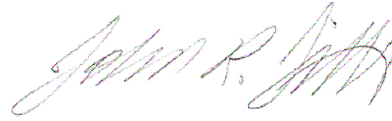
DISCUSSION

FWP believes that acquisition of the 777 Properties land will bring substantial recreational and management benefits to the Stipek Fishing Access Site as discussed above.

DECISION

After careful review of this proposal, and in consideration of the significant public recreational benefits that will derive from FWP’s land purchase and of the corresponding public support, it is my recommendation that Montana Fish, Wildlife and Parks proceed to purchase the 777 Properties LLC property as an addition to the Stipek Fishing Access for \$331,000. Prior to completing the purchase, FWP will take the project to the Montana Fish, Wildlife and Parks Commission for its review

and approval. If approved by the Commission, then FWP will bring the project to the State Land Board for its required final approval.

A handwritten signature in blue ink, appearing to read "John R. Little".

John R. Little
Region 7 Parks Manager
Miles City, Montana
November 12, 2009